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EXAMINER	
CAO, PHUONG THAO	
ART UNIT	**PAPER NUMBER**
2164	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/01/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/773,555	SULLIVAN, BRYAN	
	Examiner	Art Unit	
	Phuong-Thao Cao	2164	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 December 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-23* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-23* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This action is in response to Amendment filed on 12/14/2006.

2. Claims 1, 9, 16 and 21 have been amended. Currently, claims 1-23 are pending.

Response to Arguments

3. Applicant's arguments filed on 12/14/2006 have been fully considered but they are not persuasive.

Regarding Applicant's argument that claims 16-20 and 22-23 produce a tangible result, this argument is incorrect.

For a result to be tangible, it must be more than just a thought or a computation; it must have real-world value rather than an abstract result. What has been generated, determined, calculated, selected or decided, etc. without using what has been generated, determined, calculated, selected, decided, etc. in a disclosed practical application or at least making what has been generated, determined, calculated, selected, decided, etc. available for use through some form of conveyance (for example, display, print, sound, transmission, etc.) or at least temporary storage somewhere is not considered a tangible result. Processing data in memory such as "comparing information of a request by client logic with a know pattern of information for the client logic" or "modifying the request information to either validate or invalidate the request according to whether the information of the request matches the known pattern" is not considered as tangible result

until the result data is at least stored or displayed. Note that claim 21 is not rejected because it claims a function of communicating at least one of content and software in response to the request, which can be considered as a tangible result because it represents a practical application of the authentication process.

Regarding Applicant's argument that Fuh et al. does not use a known pattern of information, Fuh et al. teach "authentication is carried out by comparing information identifying the client to authentication information stored in the network device" (Abstract and [column 4, lines 10-15]) wherein any information (a number or a string) stored in the network device used in the authentication can be broadly considered as "a known pattern of information" as recited in Applicant's claim language. All detail descriptions regarding the claimed pattern used in argument are not recited in claimed invention; as a result, they are not considered.

Regarding Applicant's argument that Zhigang et al. does not teach a known pattern of information, Zhigang et al. teaches "authentication means that the server terminal also has to verify that it knows the username and password for the browser" wherein username and password can be considered as "a known pattern of information" because they are known by the server.

Claim Objections

4. Claim 1 is objected to because of the following informalities: missing word: "the comprising" in line 1 should be "the method comprising". Appropriate correction is required.

Claim Rejections - 35 USC § 101

5. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6. Claims 1-20 and 22-23 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Regarding claims 1 and 9, these claims recite the process of authenticating, but fail to recite a tangible result. The step of causing at least one of content and software to be communicated to the client logic in response to the request conveys the result of the authentication in a form to be used in the real world application (e.g., client receives a response of its request). Therefore, when the information of the request matches the known pattern, the method as claimed does appear to generate a tangible result. However, the claim is silent on any action to be taken in case if the information of the request does not match the known pattern. Thus, the claim covers an embodiment in which the method may end with the information of the request does not match the known

pattern, such a result would not be tangible because it is not made available for a real world application, and this embodiment would lack practical application.

Claims 2-8 and 10-15 are rejected as incorporating the deficiencies of claims 1 and 9 upon which they depend.

Regarding claims 16-20 and 22-23, these claims recite the process of authenticating but fail to recite a tangible result.

For a result to be tangible, it must be more than just a thought or a computation; it must have real-world value rather than an abstract result. What has been generated, determined, calculated, selected or decided, etc. without using what has been generated, determined, calculated, selected, decided, etc. in a disclosed practical application or at least making what has been generated, determined, calculated, selected, decided, etc. available for use through some form of conveyance (for example, display, print, sound, transmission, etc.) or at least temporary storage somewhere is not considered a tangible result. Processing data in memory such as "comparing information of a request by client logic with a know pattern of information for the client logic" or "modifying the request information to either validate or invalidate the request according to whether the information of the request matches the known pattern" is not considered as tangible result until the result data is at least stored or displayed. Note that claim 21 is not rejected because it claims a function of communicating at least one of content and software in response to the request, which can be considered as a tangible result because it represents a practical application of the authentication process.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1 and 9 are rejected under 35 U.S.C. 102(e) as being anticipated by Fuh et al. (US Patent No 6,609,154).

As to claim 1, Fuh et al. teach:

"A method" (see Abstract) comprising:

"comparing information of a request by client logic with a known pattern of information for the client logic" (see Abstract and [column 9, lines 25-30] and [column 10, lines 20-45] wherein authentication information, such as IP address, stored in the network device is equivalent to Applicant's "a known pattern of information for the client logic"); and

"when the information of the request matches the known pattern, causing at least one of content and software to be communicated to the client logic in response to the request" (see Abstract and [column 12, lines 55-67] wherein requested resource is

equivalent to Applicant's "at least one of content and software"; see [column 9, lines 20-30]).

As to claim 9, Fuh et al. teach:

"An apparatus" (see Abstract and [column 10, lines 1-15] wherein the firewall router including Authentication Proxy is equivalent to Applicant's "apparatus") comprising:

"a processor" (see [column 10, lines 10-15] wherein the firewall router must include a processor in order to execute software elements, modules or processes as disclosed); and

"logic that, when applied to the processor, results in comparing information of a request by client logic with a known pattern of information for the client logic; and when the information of the request matches the known pattern, causing at least one of content and software to be communicated to the client logic in response to the request" (see Abstract, [column 10, lines 25-45] and [column 12, lines 55-67]).

3. Claims 1, 2, 5, 7-17, 20, 22 and 23 are rejected under 35 U.S.C. 102(e) as being anticipated by Zhigang (Publication No US 2005/0014489).

As to claim 1, Zhigang teaches:

"A method" (see [0055], [0062] and [0065]) comprising:

"comparing information of a request by client logic with a known pattern of information for the client logic" (see [0062] and [0065] wherein requesting terminal or browser is equivalent to Applicant's "client logic", and verifying that it knows the

username and password for browser is equivalent to comparing information as illustrated in Applicant's claim language); and

"when the information of the request matches the known pattern, causing at least one of content and software to be communicated to the client logic in response to the request" (see [0063] and [0065] wherein message is equivalent to Applicant's "request", and 'authenticated' means information of the request such as username and password matches information stored or known by the authentication system).

As to claim 2, this claim is rejected based on arguments given above for rejected claim 1 and is similarly rejected including the following:

Zhigang teaches:

"the known pattern selected according to an identification of the client logic provided with the request" (see [0062] wherein the known pattern or stored registration information must be selected according to the value of "username" provided with the request in order to authenticating requesting terminal (equivalent to Applicant's "client logic") as disclosed).

As to claim 5, this claim is rejected based on arguments given above for rejected claim 1 and is similarly rejected including the following:

Zhigang teaches:

"the known pattern of information comprising a value determined by combining information of the request" (see [0066] wherein the checksum is equivalent a value as illustrated in Applicant' claim language).

As to claim 7, this claim is rejected based on arguments given above for rejected claim 1 and is similarly rejected including the following:

Zhigang teaches:

"applying provision information to interpret at least a portion of the information of the request" (see [0062] wherein in order to determine if the value of "username" is a MSISDN, it must apply some information to interpret as illustrated in Applicant's claim language); and

"comparing information interpreted from the request to information identifying the client logic" (see [0062] for using field "username" for authentication/authorization purposes which include comparing information as illustrated in Applicant's claim language).

As to claim 8, this claim is rejected based on arguments given above for rejected claim 7 and is similarly rejected including the following:

Zhigang teaches:

"the information identifying the client logic comprised by the request" (see [0060] and [0062] wherein requesting terminal is equivalent to Applicant's "client logic", and value of the field "username" is equivalent to information identifying the client logic as illustrated in Applicant's claim language).

As to claim 9, Zhigang teaches:

"An apparatus" (see [0041]) comprising:

"a processor" (see [0041] wherein mobile terminal is equivalent to Applicant's "processor"); and

"logic that, when applied to the processor, result in comparing information of a request by client logic with a known pattern of information for the client logic; and when the information of the request matches the known pattern, causing at least one of content and software to be communicated to the client logic in response to the request" (see [0063] and [0065] wherein the disclosure of content delivered to the client terminal after the message or request is authenticated based on username and password information for browser is equivalent to Applicant's claim language).

As to claim 10, this claim is rejected based on arguments given above for rejected claim 9 and is similarly rejected including the following:

Zhigang teaches:

"logic that, when applied to the processor, results in selecting the known pattern according to an identification of the client logic provided with the request" (see [0062] wherein the known pattern or stored registration information must be selected according to the value of "username" provided with the request in order to authenticating requesting terminal (equivalent to Applicant's "client logic") as disclosed).

As to claim 11, this claim is rejected based on arguments given above for rejected claim 9 and is similarly rejected including the following:

Zhigang teaches:

"further comprising HTTP proxy logic" (see Abstract, [0033] and [0041]).

As to claim 12, this claim is rejected based on arguments given above for rejected claim 9 and is similarly rejected including the following:

Zhigang teaches:

"logic that, when applied to the processor, compares the request with a known pattern of HTTP request header information" (see [0043]-[0049]).

As to claim 13, this claim is rejected based on arguments given above for rejected claim 9 and is similarly rejected including the following:

Zhigang teaches:

"logic that, when applied to the processor, results in combining information of the request to determine a value to represent the pattern of information in the request" (see [0066] and Table 4 wherein the checksum is equivalent a value as illustrated in Applicant' claim language).

As to claim 14, this claim is rejected based on arguments given above for rejected claim 11 and is similarly rejected including the following:

Zhigang teaches:

"logic that, when applied to the processor, results in causing an HTTP server to provide the at least one of content and software to the HTTP proxy; and in the HTTP proxy providing the at least one of content and software to the client logic" (see [0055] wherein mobile terminal 302 is equivalent to Applicant's "HTTP server", WAP gateway

is equivalent to Applicant's "HTTP proxy", and client terminal is equivalent to Applicant's "client logic"; also see [0033] and [0041]).

As to claim 15, this claim is rejected based on arguments given above for rejected claim 9 and is similarly rejected including the following:

Zhigang teaches:

"logic that, when applied to the processor, results in applying provision information to interpret at least a portion of the information of the request" (see [0062] wherein in order to determine if the value of "username" is a MSISDN, it must apply some information to interpret as illustrated in Applicant's claim language); and

"comparing information interpreted from the request to information identifying the client logic" (see [0062] for using field "username" for authentication/authorization purposes which include comparing information as illustrated in Applicant's claim language).

As to claim 16, Zhigang teaches:

"A method" (see [0051]) comprising:

"comparing information of a request by client logic with a known pattern of information for the client logic" (see [0062] and [0065] wherein requesting terminal or browser is equivalent to Applicant's "client logic", and verifying that it knows the username and password for browser is equivalent to comparing information as illustrated in Applicant's claim language since the verifying must include a comparing information

with stored registration information or known pattern as in Applicant's claim language); and

"modifying the request information to either validate or invalidate the request according to whether the information of the request matches the known pattern" (see [0051] wherein the known pattern may identify a request received from a mobile terminal or a browser in order to modify and process the request correspondingly).

As to claim 17, this claim is rejected based on arguments given above for rejected claim 16 and is similarly rejected including the following:

Zhigang teaches:

"the known pattern selected according to an identification of the client logic provided with the request" (see [0062] wherein the known pattern or stored registration information must be selected according to the value of "username" provided with the request in order to authenticating requesting terminal (equivalent to Applicant's "client logic") as disclosed).

As to claim 20, this claim is rejected based on arguments given above for rejected claim 16 and is similarly rejected including the following:

Zhigang teaches:

"the known pattern of information comprising a value determined by combining units of information of the request" (see [0066] wherein the checksum is equivalent a value as illustrated in Applicant' claim language).

As to claim 22, this claim is rejected based on arguments given above for rejected claim 16 and is similarly rejected including the following:

Zhigang teaches:

"applying provision information to interpret at least a portion of the information of the request" (see [0062] wherein in order to determine if the value of "username" is a MSISDN, it must apply some information to interpret as illustrated in Applicant's claim language); and

"comparing information interpreted from the request to information identifying the client logic" (see [0062] for using field "username" for authentication/authorization purposes which include comparing information as illustrated in Applicant's claim language).

As to claim 23, this claim is rejected based on arguments given above for rejected claim 22 and is similarly rejected including the following:

Zhigang teaches:

"the information identifying the client logic comprised by the request" (see [0060] and [0062] wherein requesting terminal is equivalent to Applicant's "client logic", and value of the field "username" is equivalent to information identifying the client logic as illustrated in Applicant's claim language).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 3, 4, 6, 18, 19 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zhigang (Publication No US 2005/0014489) as applied to claims 1 above, and further in view of Fuh et al. (US Patent No 6,609,154).

As to claims 3 and 18, these claims are rejected based on arguments given above for rejected claims 1 and 16 respectively, and are similarly rejected including the following:

Zhigang does not teach "an HTTP proxy comparing information of the request by the client logic with the known pattern of information for the client logic".

Fuh et al. teach "an HTTP proxy comparing information of the request by the client logic with the known pattern of information for the client logic" (see Abstract, [column 8, lines 5-20], [column 9, lines 25-30] and [column 10, lines 35-45] wherein Authentication Proxy as disclosed is equivalent to Applicant's "HTTP proxy", information contained in the filtering mechanism and identifying one or more IP addresses of clients is equivalent to Applicant's "the know pattern of information for client logic").

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Zhigang by the teaching of Fuh et al., because letting the HTTP proxy to handle comparing information of the request by the client logic with the known pattern of information for the client logic provides a effective central access authority and management services which reduce traffic and resource burden of the HTTP server by preventing unauthorized access to the server and freeing the server from authentication/authorization process.

As to claims 4 and 19, these claims are rejected based on arguments given above for rejected claims 3 and 18 respectively, and are similarly rejected including the following:

Zhigang as modified teaches:

"the request comprising an HTTP GET request" (see [0043] and [0049]).

As to claims 6 and 21, these claims are rejected based on arguments given above for rejected claims 3 and 18 respectively, and are similarly rejected including the following:

Zhigang teaches:

"the HTTP proxy causing an HTTP server to communicate the at least one of content and software" (see [0041], [0080] and [0081]).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuong-Thao Cao whose telephone number is (571) 272-2735. The examiner can normally be reached on 8:30 AM - 5:00 PM (Mon - Fri).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on (571) 272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

PTC

January 25, 2007

Primary Examiner
Art Unit 2167